

Serial No. 10/648,297
Amendment dated March 6, 2006
Reply to Office Action of December 7, 2005

Docket No. CIT/K-0019C

REMARKS/ARGUMENTS

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments conform to the Examiner's suggestions without incorporating additional subject matter); and (3) satisfy a requirement of form asserted in the previous Office Action. Entry is thus requested.

More specifically, in the outstanding Office Action, the Examiner had rejected claims 34-36 under 35 U.S.C. 112, first paragraph, as allegedly containing new matter. In support of this rejection, the Examiner has alleged that the chemical formulae set forth in claims 34-36 "differ from the chemical formulae set forth in the previous versions of the claims, and differ from the formulae as shown in the original disclosure."

In response, Applicants respectfully note that the chemical formulae in claims 34-36 were equivalent to the chemical formulae shown in the original claims and the specification. That is, the chemical formulae in claims 34-36 were resonance forms of the formulae in the original claims and specification, which had been rotated clockwise to correspond to a more conventional depiction of porphyrin ring systems. Nevertheless, in an effort to expedite prosecution, Applicants have deleted the newer depictions of the chemical formulae and re-inserted the depictions from the original claims and specification. No new matter was intended to be added by the redrawn formulae and, to the extent any new matter was presented, such was

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inadvertent and has been obviated by the above amendment of the claims replacing the newer depictions with the original depictions from the specification.

Withdrawal of the outstanding rejection as moot and early allowance of this application are therefore earnestly solicited.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Donald R. McPhail, Esq., at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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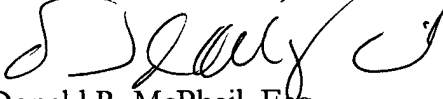
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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



Donald R. McPhail, Esq.
Registration No. 35,811

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DRM/lm

Date: MARCH 6, 2006

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Please direct all correspondence to Customer Number 34610